

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

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	)	
In re BRIDGESTONE/FIRESTONE, INC.	)	
ATX, ATX II, AND WILDERNESS TIRES	)	Master File No. IP 00-9373-C-B/S
PRODUCTS LIABILITY LITIGATION	)	MDL No. 1373
_____	)	(centralized before Hon. Sarah Evans
	)	Barker, Chief Judge)
THIS DOCUMENT RELATES TO ALL	)	
ACTIONS	)	
	)	

**ORDER STAYING DISCOVERY**  
**(EFFECTIVE IMMEDIATELY)**

On October 24, 2000, the Judicial Panel on Multidistrict Litigation (“the Panel”) issued an order transferring 62 actions pending in 29 districts to the United States District Court for the Southern District of Indiana for coordinated or consolidated pretrial proceedings. In re Bridgestone/Firestone, Inc., ATX, ATX II and Wilderness Tires Products Liability Litigation, MDL No. 1373 (J.P.M.L. Oct. 24, 2000) (“Transfer Order”). Jurisdiction in this court became official this morning (October 26, 2000) when the transfer order was filed with the Clerk of Court. Also this morning, at 9:00 a.m. C.D.T., the plaintiffs in Gustafson v. Bridgestone/Firestone, Inc. (S.D. Ill.), began the deposition of John Lampe, the Chief Executive Officer of Firestone.

Conducting this discovery independent of the consolidated actions in this case

threatens to undermine the purpose of multidistrict litigation. The statute authorizing multidistrict litigation, 28 U.S.C. § 1407(a), states that transfers are appropriate when they “will promote the just and efficient conduct of such actions.” In fact, the Panel found that “[c]entralization under Section 1407 is [] necessary in order to eliminate duplicative discovery.” Transfer Order at 3. We assume that Mr. Lampe can provide facts crucial to the combined litigation. Thus, it is highly advisable to delay deposing him until counsel for all the plaintiffs have had the opportunity to participate in the formulation of the litigation strategy, to cooperate with each other and to coordinate their efforts. Because the evidence produced by Mr. Lampe likely would overlap substantially if he were deposed separately for each case, it is better to conserve the resources of the parties and their counsel by waiting until a combined plan for preserving his testimony can be organized. See Transfer Order at 3. The Court therefore STAYS the deposition of John Lampe, CEO of Firestone, currently underway pursuant to the Scheduling and Discovery Order, Gustafson v. Bridgestone/Firestone, Inc., Civil No. 00-612-DRH (S.D. Ill. Sept. 8, 2000), effective immediately and until there has been a plan formulated for coordinated, consolidated case management, including specifically the issuance of a Practice and Procedure Order and an Order Setting the Initial Conference.

For the same reasons, the Court hereby STAYS all further discovery until case management plans have been made, unless persuasive, exigent circumstances demand otherwise. Parties facing such urgent circumstances are allowed ten (10) days with which

to file a motion to lift the stay for a particular discovery action, or in the future, as promptly as possible should some exigency develop.

It is so ORDERED this 26th day of October 2000.

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(Signed)  
SARAH EVANS BARKER, CHIEF JUDGE  
United States District Court  
Southern District of Indiana

Distribution in accordance with certificate of service supplied by the parties in conjunction with the Motion for a Temporary Stay of Discovery to Schedule a Case Management Conference: